

U.S. DISTRICT COURT  
SAVANNAH, GA.

## UNITED STATES DISTRICT COURT

2017 JAN 30 PM 2:40

Southern District of Georgia  
Savannah Division

UNITED STATES OF AMERICA

v.

Gerald Lerner

**JUDGMENT IN A CRIMINAL CASE**  
(For Revocation of Probation or Supervised Release)

Case Number: 4:10CR00048-1

USM Number: 10061-112

Amit Michael Navare  
Defendant's Attorney**THE DEFENDANT:**☒ admitted guilt to violation of special, mandatory, and standard conditions of the term of supervision.☐ was found in violation of condition(s) \_\_\_\_\_ after denial of guilt.

The defendant is adjudicated guilty of these offenses:


<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Violation Ended</u>
1	The defendant failed to perform community service (special condition).	January 4, 2017
2	The defendant failed to pay a fine or restitution obligation in accordance with the schedule of payments set forth by the Court (mandatory condition).	January 4, 2017
3	The defendant failed to work regularly at a lawful occupation and was not excused by the probation officer for schooling, training, or other acceptable reasons (standard condition).	January 4, 2017

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has not violated condition(s) \_\_\_\_\_ and is discharged as to such violation(s) condition.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Last Four Digits of Defendant's SSN: 8012Defendant's Year of Birth: 1965City and State of Defendant's Residence:  
Savannah, GeorgiaJanuary 25, 2017

Date of Imposition of Judgment

  
Signature of JudgeWilliam T. Moore, Jr.  
Judge, U.S. District Court

Name and Title of Judge

JAN. 30, 2017  
Date

DEFENDANT: Gerald Lerner  
CASE NUMBER: 4:10CR00048-1

## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: 12 months.

- ☐ The Court makes the following recommendations to the Bureau of Prisons:
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_.
- ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. on \_\_\_\_\_.
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

## RETURN

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

DEFENDANT: Gerald Lerner  
CASE NUMBER: 4:10CR00048-1

## CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Page 5.

	<u>Assessment</u>	<u>Trafficking Act Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<b>TOTALS</b>				<b>\$30,935.31</b>

☐ The determination of restitution is deferred until \_\_\_\_\_. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☒ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Ameriprise Financial, Incorporated 741 Ameriprise Financial Center Minneapolis, Minnesota 55474		\$17,912.41	57.9%
Weiner, Shearouse, Weitz, Greenberg and Shawe, LLP 14 East State Street Savannah, Georgia 31401		\$5,321.28	17.2%
Savannah Christian Preparatory School Attention: Mary Redding Post Office Box 2848 Savannah, Georgia 31402		\$500.00	1.6%

**SEE PAGE 4 FOR ADDITIONAL RESTITUTION PAYEES**

☐ Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☒ the interest requirement is waived for ☐ fine ☒ restitution.

☐ the interest requirement for ☐ fine ☐ restitution is modified as follows:

☐ The court determined that the defendant is ☐ indigent ☐ non-indigent under the Justice for Victims of Trafficking Act of 2015.

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: Gerald Lerner  
CASE NUMBER: 4:10CR00048-1

**ADDITIONAL RESTITUTION PAYEES**

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Target Mini-Storage, LLC 913 Mount Vernon Road Vidalia, Georgia 30474		\$125.00	.04%
Sam's Club #4820 Attention: Asset Protection Manager 15 Mill Creek Circle Pooler, Georgia 31322		\$1,211.86	3.9%
The Enclave 114 Canal Street, Suite 302 Pooler, Georgia 31322		\$3,820.00	12.4%
Comcast Cable Communications Post Office Box 530099 Atlanta, Georgia 30353 Account No.: 09579330823011		\$1,244.76	4%
Eddie's Pressure Washing and Lawncare Maintenance Attention: Eddie Baldwin 209 Orchard Drive Rincon, Georgia 31326		\$800.00	2.6%
<b>TOTALS:</b>		<b>\$30,935.31</b>	<b>100%</b>

DEFENDANT: Gerald Lerner  
CASE NUMBER: 4:10CR00048-1

### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A ☐ Lump sum payment of \$ \_\_\_\_\_ due immediately, balance due
- ☐ not later than \_\_\_\_\_, or  
☐ in accordance ☐ C, ☐ D ☐ E, or ☐ F below; or
- B ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☒ F below); or
- C ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:  
Payments are to be made payable to the Clerk, United States District Court, for disbursement to the victims.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

Pursuant to 18 U.S.C. § 3572(d)(3), the defendant shall notify the Court of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay the fine.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.